

## AGENDA

### COMMITTEE ON LANDS AND BUILDINGS

**June 27, 2006**

**Aldermen Thibault,  
Smith, Forest, Roy, Long**

**5:15 PM**

**Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Chairman Thibault calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Leo Bernier, City Clerk, seeking approval for the creation of a mural from the first through the third floor and from floor to ceiling along the main staircase of City Hall Complex.  
**Gentlemen, what is your pleasure?**
4. Communication from Susan Strickler, Director of the Currier Museum of Art requesting an easement be granted to encroach onto the Beech and Prospects Streets right-of-ways as part of their expansion program.  
**Gentlemen, what is your pleasure?**
5. Communication from Attorney Emile Bussiere, Jr. on behalf of Donald and Nancy Pouliot's request to purchase city-owned land located on Chenette Avenue (Map 372, Lot 10A).  
*Assessors – Range of value \$4,150*  
*Planning – deemed surplus to City needs and disposed of through public sale. (Note: if sale to Pouliot's is appropriate recommending a condition to the sale requiring that Lot 10A with 600 s.f. be merged with abutting Lot 10 with 3,054 s.f.)*  
*Tax Collector – no objection to disposition of property.*  
**Gentlemen, what is your pleasure?**
6. Communication from Arthur Sullivan, Brady Sullivan Properties, requesting consideration of the relinquishment of acquired air rights to the Jefferson Mill's Annex Parking Lot and an amendment of the utility easement regarding the repair of the city-owned storm drain line.  
**Gentlemen, what is your pleasure?**

### **TABLED ITEMS**

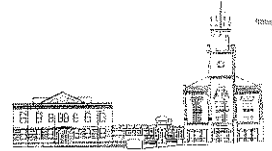
**A motion is in order to remove any of the following items from the table for discussion.**

7. Communication from Gerald Hebert, Sr., requesting to purchase Lots 246-3, 6 & 7 on Page Street between London and Bridge Streets.  
*(Note: tabled 07/19/2005. Communications from the Board of Assessors and Planning enclosed.)*
  
8. Communication from City Solicitor Clark enclosing a communication from the State of NH Department of Transportation requesting to purchase city land for the proposed Manchester Airport Access Road.  
*(Note: On 11/21/2005 referred to Airport requesting report back and requested Planning and Tax to determine whether or not property is surplus to city needs. Planning recommends it be determined surplus to city needs due to the unique circumstances involved noting the committee may find suitable public purpose for selling the property to the state.)  
(Tabled 02/21/2006)*
  
9. Communication from Paul J. Borek, Economic Development Director, regarding the Ash Street School property on Bridge Street.  
*(Note: tabled 11/21/2005 pending report of School Board action. Enclosed is a copy of a resolution adopted by the School Board on 12/12/2005. Report dated 02/15/2006 submitted by the Director of Planning enclosed herein.)*
  
10. If there is no further business, a motion is in order to adjourn.



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

June 20, 2006

Alderman Henry Thibault, Chairman  
Committee on Lands and Buildings  
One City Hall Plaza  
Manchester NH 03101

Dear Mr. Chairman and Committee Members:

Two local artists recently approached me about creating a mural that would run along the staircase of City Hall, depicting the history of Manchester. I am excited about pursuing this project and am looking for your approval. According to Board of Mayor and Aldermen policy, your committee has jurisdiction in this matter. The artists are Patricia R. Hutchins and Stephen Shaw of Hollis.

As proposed, the mural would run from the first through the third floor, from floor to ceiling along the staircase. Beginning with John Eliot, "Apostle to the Indians," preaching at Amoskeag Falls in 1651, key events in Manchester's history would be creatively illustrated.

Funding for the mural would be provided by donations, and completion of the project would require moving the Mayors' pictures from the stairway to the Aldermanic Chambers, where they have been placed, traditionally, since the late 1800's.

In addition to seeking your approval, I will be communicating with the Arts Commission as this project, hopefully, unfolds. I appreciate your attention to this project and look forward to your response.

Sincerely,

Leo R. Bernier  
City Clerk

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May 19, 2006

ZIMMERMAN HOUSE • ART CENTER

Alderman Henry R. Thibault  
280 Thornton Street  
Manchester NH 03102

Dear Alderman Thibault:

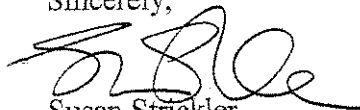
We appreciate all the help that the city has provided as the Currier Museum of Art embarks on its expansion program, which is scheduled to begin in early July of this year.

We are writing to you as chair of the city's Landscape and Building Committee on behalf of the Currier to request an easement to allow the footings of the replacement and proposed retaining walls of the museum to encroach onto the Beech and Prospect Streets rights of way. The design calls for the retaining walls to be placed at the right of way/property line consistent with the location of the existing walls. This will cause the wall footings below ground to extend one foot (12") into the rights of way. The easement as shown is 1-1/2 feet wide to allow for any unevenness in the below-ground construction.

We have enclosed a Proposed Easement Plan and Description, and would be pleased to provide any further information that the committee needs to review this request.

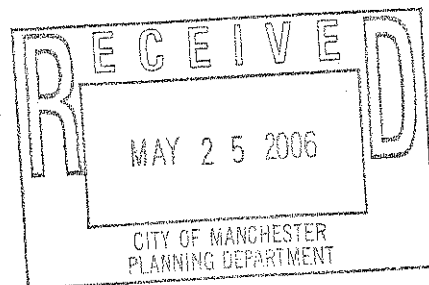
We are grateful for your attention to this, and hope that you will be in touch with me, or with our deputy director, Susan Leidy, 669-6144 x 106 if you have any questions.

Sincerely,

  
Susan Strickler  
Director

Cc: Susan Leidy

Pamela Goucher, Manchester Planning Department, with enclosure



4

Legal Description-Footing Easement "A" within Beech Street and Prospect Street adjacent to Lot 9-15 and 3-1

A certain footing easement within Beech Street and Prospect Street on the easterly sideline of Beech Street and the southerly sideline of Prospect Street, in the City of Manchester, County of Hillsborough, State of New Hampshire, bounded and described as follows:

Beginning at the intersection of the southerly sideline of Prospect Street and the easterly sideline of Beech Street; Thence

S07°52'52"E	by the easterly sideline of Beech Street a distance of 303.69 feet to a point; Thence
S82°07'08"W	through Beech Street a distance of 1.50 feet to a point; Thence
N07°52'52"W	through Beech Street a distance of 305.19 feet to a point; Thence
N82°07'29"E	through Beech Street and through Prospect Street a distance of 92.47 feet to a point; Thence
S07°52'31"E	through Prospect Street a distance of 1.50 feet to a point on the southerly sideline of Prospect Street; Thence
S82°07'29"W	by the southerly line of Prospect Street a distance of 90.97 feet to the point of beginning.

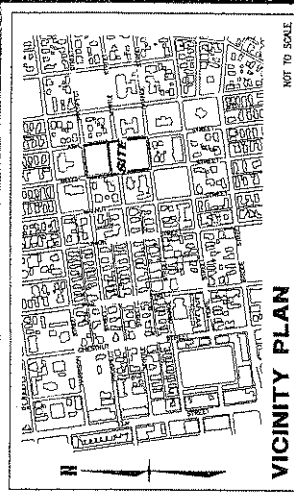
4

Legal Description-Footing Easement "B" within Beech Street adjacent to Lot 9-15 and 3-1

A certain footing easement within Beech Street on the easterly sideline of Beech Street, in the City of Manchester, County of Hillsborough, State of New Hampshire, bounded and described as follows:

Beginning at the intersection of the northerly sideline of Orange Street and the easterly sideline of Beech Street; Thence

S82°07'08"W	through Beech Street a distance of 1.50 feet to a point; Thence
N07°52'52"W	through Beech Street a distance of 88.85 feet to a point; Thence
N82°07'08"E	through Beech Street a distance of 1.50 feet to a point; Thence
S07°52'52"E	by the easterly sideline of Beech Street a distance of 88.85 feet to the point of beginning.



**REFERENCE PLANS**

1. TAX MAP 19 LOT 15, TAX MAP 3 LOT 1 & TAX MAP 18 LOT 22, EXISTING CONVEYING AND INSTRUMENT PLAN, THE CURRIER GALLERY OF ART, FRANK, ORANGE, PROSPECT, ASH, BEECH, & MYRTLE STREETS, MANCHESTER, NH, PREPARED FOR THE CURRIER GALLERY, 201 MYRTLE WAY, MANCHESTER, NH 03101, SCALE: 1"=20', SEPTEMBER 11, 2001, BY THORNTON INC.

**NOTES**

- THE CURRENT RECORD OWNER OF LOTS 15-18 AND 3-1 IS THE CURRIER GALLERY OF ART, 201 MYRTLE WAY, MANCHESTER, NH 03101. DEED REFERENCES TO THE PROPERTIES ARE BK. 2785 P. 556 DATED 5/14/1980, AND VOL. 807, P.36 AND VOL. 300, PG. 97, AND THE MORD AND PROSTATE NUMBERS 21882 AND 22238 IN THE HD8.
- THE PURPOSE OF THIS PLAN IS TO SHOW EASEMENTS "A" AND "B" BENEFITTING THE PROPERTIES FOR PROPOSED FOOTING WALLS TO ENJOINCH INTO THE RIGHT OF WAY OF BEECH STREET AND PROPOSED STREET "A" SHOWN.
- [19-31] REFERS TO CITY OF MANCHESTER ASSESSOR'S MAP AND LOT NUMBER.
- THE TOTAL AREA OF LOTS 15-18 & 3-1 IS 2.478 ACRES OR 107,925 SQ.F.T.
- ZONING FOR THE LOTS IS C-1 (CIVIC INSTITUTIONAL). STRUCTURAL SETBACKS ARE 15' AND 20' SIDE AND REAR.
- THE SITE IS SUBJECT TO A 10' WIDE GAS EASEMENT BENEFITING THE MANCHESTER GAS CO. (MGC).
- EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR REFERRED ARE THOSE WHICH WERE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTER OF DEEDS OFFICE. ANY OTHER EASEMENTS OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCELS WOULD DETERMINE.
- THE BOUNDARY AS SHOWN IS BASED ON A FIELD SURVEY BY THE OFFICE CONDUCTED IN AUGUST 2001 AND REFERENCE PLAN SHOWN. THE SURVEY HAS A PRECISION OF 1/21,770.

**TAX MAP 19 LOT 15 & TAX MAP 3 LOT 1  
EASEMENT PLAN**

**THE CURRIER GALLERY OF ART  
& THE CITY OF MANCHESTER, M.H.**

OWNED BY / PREPARED FOR  
**THE CURRIER GALLERY OF ART**  
201 MYRTLE WAY  
MANCHESTER NH 03104

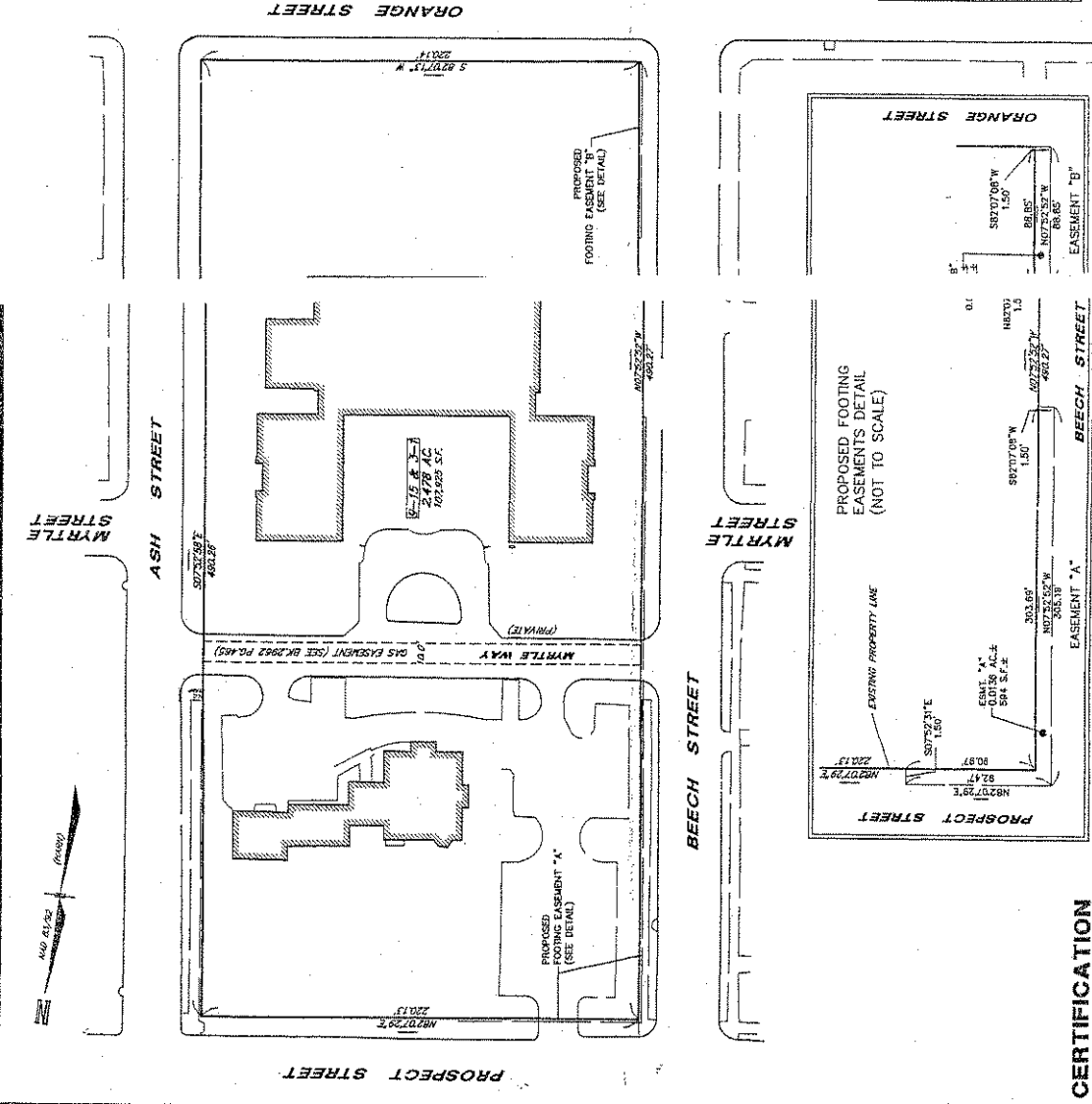
SCALE: 1"=40'      MAY 12, 2006

**THM**

Bedford, NH • Manchester, NH • Keene, NH • Soper, NH • Portsmouth, NH

16298.05      JMW      1629801 ESM1.DWG      SHEET 1 OF 1

16298.05      JMW      1629801 ESM1.DWG      SHEET 1 OF 1



**CERTIFICATION**

PURSUANT TO RSA 876:16-B AND RSA 872:14  
I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION  
PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS  
AND EASEMENTS SHOWN ARE THOSE OF PUBLIC OR PRIVATE  
STREETS OR WAYS ARE NOT ESTABLISHED AND THAT NO  
NEW WAYS ARE SHOWN.

THE ABOVE CERTIFICATION IS PROVIDED TO MEET REQUIREMENTS  
OF DEEDS REQUIREMENTS AND IS NOT A GUARANTEE TO  
TITLE OR OWNERSHIP OF PROPERTY SHOWN.

5  
*Law Offices*  
*of*  
*Bussiere & Bussiere*  
*Professional Association*  
15 North Street  
Manchester, New Hampshire 03104

EMILE R. BUSSIERE  
EMILE R. BUSSIERE, JR.  
KEITH F. DIAZ

*Telephone (603) 622-1002*  
*Facsimile (603) 668-6892*

June 9, 2006

Via Fax Only (603) 624-6481

3 pages

City of Manchester  
Attention: Leo Bernier, Clerk

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to  
purchase tax map 372 lot 10A

Dear Mr. Bernier:

Per my conversation with the Mayor's Office, I am faxing  
herewith a copy of my letter dated June 2, 2006 regarding Don and  
Nancy Pouliot's request for permission to purchase the two lots  
referenced in said letter.

The purpose of this fax is to inform you that in said letter  
I incorrectly identified the property as having an address of  
85 Brent Street when, in actuality, the address of my clients'  
property is 85 Cilley Road.

I hope this can still be placed on the next upcoming agenda  
for the Board of Mayor and Aldermen.

Thank you for your attention to this matter.

Sincerely,

*Emile R. Bussiere Jr.*

Emile R. Bussiere, Jr.

ERBJR:dpm  
Enclosure  
cc: clients (letter only)

*Law Offices*  
*of*  
*Bussiere & Bussiere*  
*Professional Association*

15 North Street  
Manchester, New Hampshire 03104

EMILE R. BUSSIERE  
EMILE R. BUSSIERE, JR.  
KEITH F. DIAZ

*Telephone (603) 622-1002*  
*Facsimile (603) 668-6892*

June 2, 2006

City of Manchester  
Board of Mayor and Aldermen  
Attn: Mayor's Office  
1 City Hall Plaza  
Manchester, NH 03101

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to  
purchase tax map 372 lot 10A

Dear Board of Mayor and Aldermen:

Please be advised that I represent Donald J. Pouliot and  
Nancy E. Pouliot with respect to their request to purchase tax  
map 372 lot 10A from the City of Manchester.

My clients purchased the property located at 85 Brent Street  
(Tax Map 372 Lots 10, 26, 26A & 28A) on December 21, 1993, their  
deed being recorded December 22, 1993 in the Hillsborough County  
Registry of Deeds at Book 5507 Page 344.

Thereafter, on November 23, 1994, the City of Manchester  
obtained title to tax map 372 Lot 10A via a tax deed indicating  
the property had been owned by an unknown owner. This deed is  
recorded in the Hillsborough County Registry of Deeds at Book  
5593 Page 1656. My clients were not aware that the transfer  
occurred.

Unbeknownst to my clients when they acquired the property,  
their real estate, specifically the building located on their  
property, appears to encroach upon tax map 372 Lot 10A.

At this time, my clients would appreciate the opportunity to  
purchase tax map 372 Lot 10A from the City of Manchester. The  
parcel does not appear to have any value to the City of  
Manchester or any one else given its size and location. Further,  
my clients' desire in acquiring the lot is primarily, if not  
totally, driven by their concern relative to the encroachment  
issue raised above and the problems they might encounter if they  
were to sell their parcel.

**RECEIVED**

JUN 05 2006

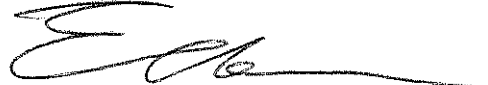
MAYOR'S OFFICE

5  
City of Manchester  
Board of Mayor and Aldermen  
Attn: Mayor's Office  
June 2, 2006  
Page 2

It is requested that this matter be placed on the agenda for the next available meeting.

Thank you for your attention to this matter.

Sincerely,



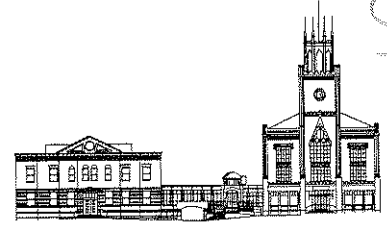
Emile R. Bussiere, Jr.

ERBJR:dpm  
cc: clients



## CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing  
Manchester, New Hampshire 03101  
Tel: (603) 624-6520 – Fax: (603) 628-6288  
Email: [assessors@ci.manchester.nh.us](mailto:assessors@ci.manchester.nh.us)  
Web: [www.ManchesterNH.Gov](http://www.ManchesterNH.Gov)



David M. Cornell, Chairman  
Thomas C. Nichols  
Stephan W. Hamilton

Christine Hanagan  
Assistant to Assessors

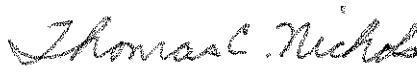
To: Committee on Lands and Buildings  
From: Board of Assessors  
Date: June 19, 2006  
Re: Map 372 Lot 10A  
Request to Purchase Property


The Assessors have completed an analysis of the estimated market value of the above-referenced property. The following is a summary of important facts and the value estimate:

Property Location	Chenette Ave (see attached aerial photograph)
Assessors Map/Lot	Map 372 Lot 10A
Property Owner	City of Manchester Tax Collector
Deed Book/Page	5593/1655
Date Acquired	November 21, 1994
Improved/Vacant	Vacant
Total Land Area	1038 square feet
Current Zoning	B-2
Overlay District	N/A
Easements/Restrictions	None Known
Utilities Available	Water and Electric
Total Current Assessment	The current assessment is \$2,500. Note: This is the 2001 revaluation figure.
Indicated Range of Value/Unit	\$4.00 per square foot
Indicated Range of Value	\$4,150 (rounded)
Comments	The value stated herein represents the value, as is, for 1038 square feet of land. Due to the small size and narrow shape of the lot, the property has limited utility. Therefore, the highest and best use of the lot is determined to be a merger with an abutting property.

Respectfully submitted,

  
David M. Cornell

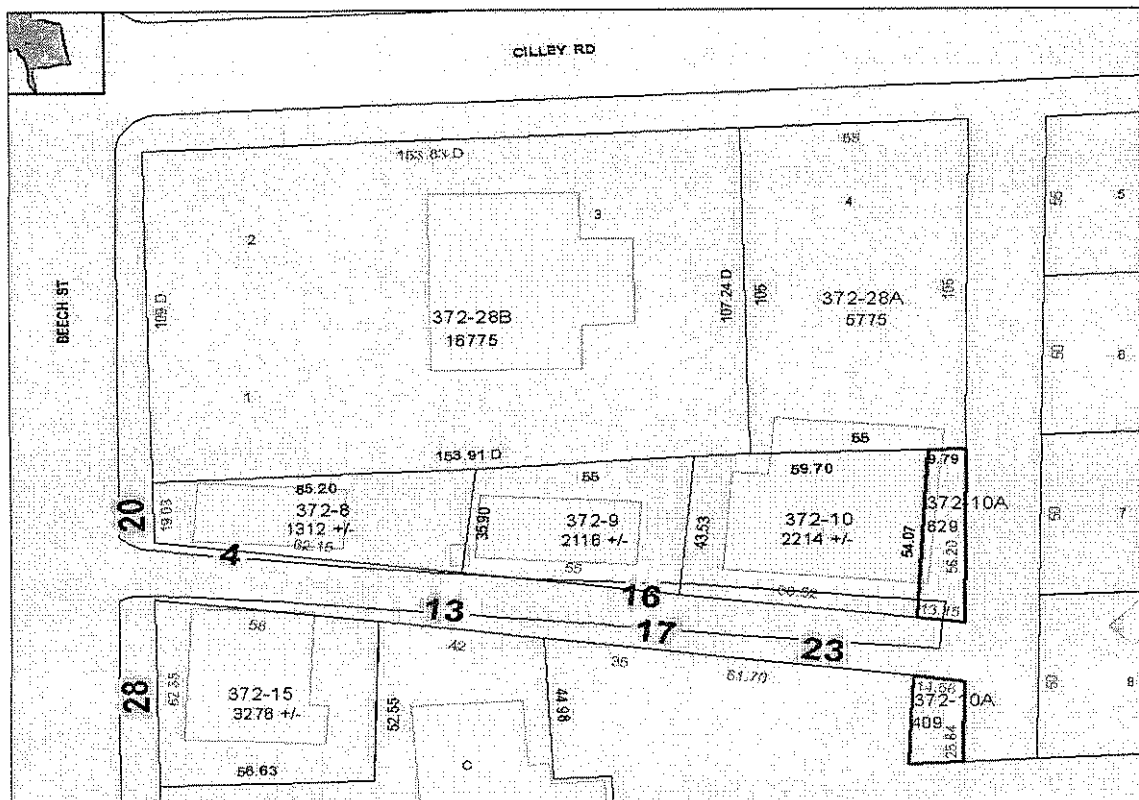
  
Thomas C. Nichols

  
Stephan W. Hamilton

Enclosure:

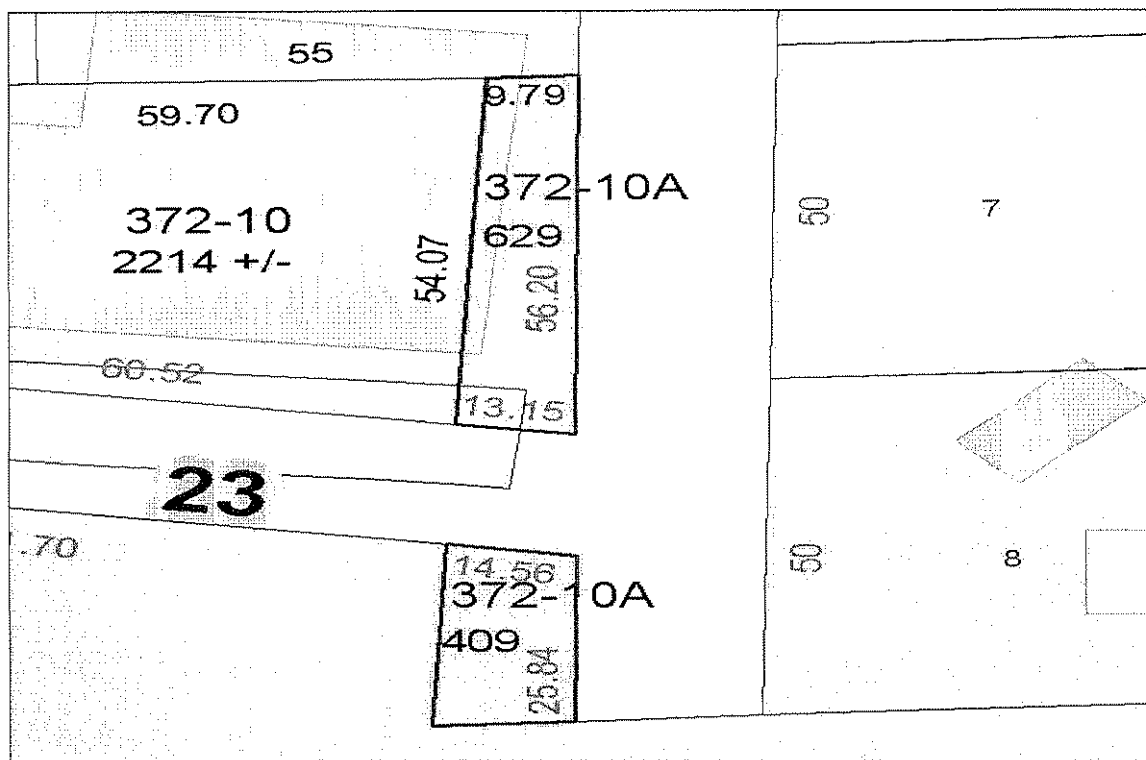
A black and white photograph of a small, single-story building, possibly a mobile home or a small office. The building has a sign on its right side that reads "Don Poulton Home Improvements COMMERCIAL RESIDENT". To the left of the building, a van is parked on a dirt or gravel area. In the background, there are trees and a fence. The sky is overcast.

### View Looking South



## GIS Map

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GIS Map



Aerial Photograph

CURRENT OWNER CITY OF MANCHESTER TAX COLLECT		TOPO. 1 Level		UTILITIES 8 None		STRT./ROAD 1 Paved		LOCATION 1 Urban		CURRENT ASSESSMENT Code 9500 Appraised Value 2,500 Assessed Value 2,500			
908 ELM ST MANCHESTER, NH 03101										2017 MANCHESTER, NH			
Additional Owners:										VISION			
RECORD OF OWNERSHIP CITY OF MANCHESTER TAX COLLECT OWNER UNKNOWN										PREVIOUS ASSESSMENTS (HISTORY) Yr. Code Assessed Value Yr. Code Assessed Value 2005 9500 2,500 2005 9500 2,500			
EXEMPTIONS Type/Description Amount Code Description Number Amount Comm. Int.										Total: 2,500 Total: 2,500			
SUPPLEMENTAL DATA Account # 3437548 RAD OR CAD CAD = 720 Land Adjust NO Old LUC Voided NO Sketch Note NONE Total SF 1038 Land Class T Zone Parcel Zip 03103 Frontage/Dep No GIS ID: 372-10A										Total: 2,500			
OTHER ASSESSMENTS Amount Code Description Number Amount Comm. Int.										Total: 2,500			
NOTES										APPRaised VALUE SUMMARY Appraised Bldg. Value (Card) Appraised XF (B) Value (Bldg) Appraised OB (L) Value (Bldg) Appraised Land Value (Bldg) Special Land Value Total Appraised Card Value Total Appraised Parcel Value Valuation Method: Net Total Appraised Parcel Value			
BUILDING PERMIT RECORD Permit ID Issue Date Type Description Amount Insp. Date % Comp. Date Comp.										VISIT/CHANGE HISTORY ID C'd Purpose/Result RD 14 Other			
LAND LINE VALUATION SECTION Bldg Use Code Description Zone D Frontage Depth Units Unit Price I. Factor S.I. C. Factor Nbhd. Adj. Notes- Adj/Special Pricing										Land Value			
1 9500 NON TAX R 1,038.00 SF 12.00 1.00 1.00 460 1.00 SPCL(RES)Notes: VET ADAP										12.00 2,500			
Total Card Land Units 1,038.00 SF Parcel Total Land Area: 1,038 SF										Total Land Value 2,500			

CONSTRUCTION DETAIL				Commercial Data Elements		SKETCH
Element	Cd.	Ch.	Description	Element	Description	
Style/Type	99		Vacant Land	Heat & AC		
Model	00		Vacant	Frame Type		
Grade				Baths/Plumbing		
Stories				Ceiling/Wall		
Occupancy				Rooms/Prtus		
Exterior Wall 1				% Common Wall		
2				Wall Height		
Roof Structure						
Roof Cover						
Interior Wall 1						
2						
Interior Floor 1						
2						
Heating Fuel						
Heating Type						
AC Type						
Bedrooms						
Bathrooms						
Total Rooms						
Bath Type						
Kitchen Style						
MIXED USE						
Code	Description	Percentage				
9500	NON TAX R	100				
OB-OUTBUILDING & YARD ITEMS(D) / XP-BUILDING EXTRA FEATURES(B)						
Code	Description	L/B - Units	Unit Price	Yr.	Dp Rt %Cnd Apr. Value	
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost Undeprec. Value	
Ttl. Gross Liv/Lease Area		0	0	0	0 Bldg Val:	



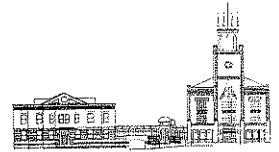


Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

June 19, 2006

Committee on Land and Buildings  
Honorable Board of Mayor and Aldermen  
City Hall - One City Hall Plaza  
Manchester, N.H. 03101

RE: *Request to acquire city-owned land (TM 372, Lot 10A) on Chenette Avenue*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

**Background:** The City has received a written request from Donald and Nancy Pouliot to acquire a 600 s.f. city-owned parcel (TM 372, Lot 10A) which abuts several properties they own which are located on or near Chenette Avenue just south of the South Beech Street/Cilley Road intersection. The reason expressed by the Pouliot's for why they want to acquire Lot 10A is because a commercial building they own on Lot 10 crosses over the lot line boundary and onto Lot 10A and acquisition of Lot 10A would resolve their encroachment dilemma. As may be seen on the accompanying maps, three other Pouliot owned properties abuts city-owned Lot 10A.

**Surplus Determination and Disposition:** After discussion this request with appropriate City agencies, we have determined that there are no known reasons why the City should retain ownership of this tiny parcel and it is, therefore, the recommendation of the Planning & Community Development Department that the property be deemed surplus to City needs and disposed of through public sale at a price determined by the Assessor's Department. In this regard, the Board may especially wish to consider that the Pouliot's are the only direct abutters to Lot 10A and their acquisition of Lot 10A would adequately resolve their building encroachment problem.

If sale of Lot 10A to the Pouliot's is deemed appropriate, we would recommend that the Board attach a condition to the sale which requires that Lot 10A (600 s.f.) be merged with abutting Lot 10 (3,054 s.f.) to form a single parcel.

If you have any questions, our staff will be available at your meeting.

Sincerely,

Robert S. MacKenzie, AICP  
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

# Environs of TM 372, Lot 10A

CILLEY RD.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

CHENETTE AVE.

TM 372  
Lot 28A  
6,037 s.f.

85 Cilley Rd.  
TM 372  
Lot 10  
3,054 s.f.

Chenette Ave.  
TM 372  
Lot 10A  
600 s.f.

TM 372  
Lot 26A

9 Cherry Ave.  
TM 372  
Lot 26



Properties owned by Donald & Nancy Pouliot  
Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 9, 2006.

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Environments of TM-372, Lot 10A

LEON AVE.

WITT AVE.

CILLEY RD.

MAPLE ST.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

S. BEECH ST.

CHENETTE AVE.

TM 372  
Lot 28A

TM 372  
Lot 10

TM 372  
Lot 26A

TM 372  
Lot 26

TM 372  
Lot 10A



Properties owned by Donald & Nancy Pouliot  
Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 9, 2006.



City of Manchester  
Office of the Tax Collector

City Hall  
One City Hall Plaza - West  
Manchester, New Hampshire 03101  
(603) 624-6575 (Phone)  
(603) 628-6162 (Fax)

Joan A. Porter  
Tax Collector

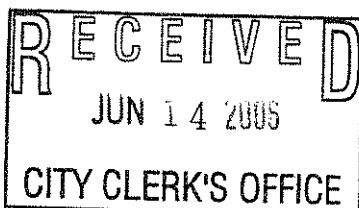
## Memorandum

DATE: June 14, 2006  
TO: Land & Building Committee  
FROM: Joan A. Porter, Tax Collector  
RE: L Chenette Ave

As requested, the following contains information regarding the Tax-Deeded property located at: **L Chenette Ave**

Prior Owners: Unknown  
Map/Lot: 0372/0010-A  
Lien Date: 04/17/1992  
Deed Date: 11/21/1994  
Recorded Date: 11/23/1994  
Book/Page: 5593/1655  
Back Taxes 343.25 (not including interest and costs)

I do not have any objections to the disposition of this property.



# Environs of TM 372, Lot 10A

CILLEY RD.

TM 372  
Lot 28A  
6,037 s.f.

Chenette Ave.  
TM 372  
Lot 10A  
600 s.f.

85 Cilley Rd.  
TM 372  
Lot 10  
3,054 s.f.

TM 372  
Lot 26A

9 Cherry Ave.  
TM 372  
Lot 26

TM 372  
Lot 10A

CHERRY AVE.

CHENETTE AVE.



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Paul Borek, Economic Development Director  
Robert MacKenzie, Director of Planning  
Frank Thomas, Public Works Director

From: C. Johnson  
Deputy City Clerk

Date: June 19, 2006

Re: Jefferson Mill Parking Deck

Enclosed please find a copy of a communication from Mr. Arthur Sullivan of Brady & Sullivan Properties requesting consideration of the relinquishment of acquired air rights to the Jefferson Mill's Annex Parking Lot and an amendment of the utility easement regarding the repair of the city-owned storm drain line.

Please be prepared to submit a report(s) to the Committee on Lands and Buildings at its next regularly scheduled meeting to be held on Tuesday, June 27, 2006 at 6:15 PM in the Aldermanic Chambers.

Enclosure

pc: Thomas Clark, City Solicitor  
Kevin Sheppard, Deputy Public Works Director

b

BRADY SULLIVAN  
**P R O P E R T I E S**

June 19, 2006

**(HAND-DELIVERED)**

Alderman Henry Thibault, Chairman  
Committee on Lands and Buildings  
c/o City Clerk's Office  
1 City Hall Plaza  
Manchester, NH 03101

Re: Jefferson Mill Parking Deck

Dear Chairman Thibault:

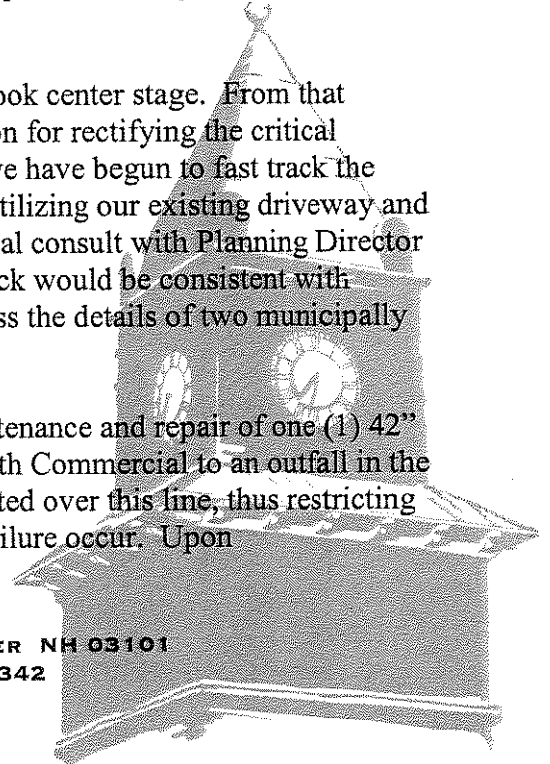
Please accept this letter as Brady Sullivan Properties' request that the City of Manchester modify the terms of certain agreements that restrict the construction of a parking deck at the Jefferson Mill. More specifically, we are requesting the relinquishment of municipally controlled air rights held over our at-grade Annex Parking Lot and a modification to a utility easement for a storm drain line that traverses the property.

This request stems from our desire to construct a 70-car parking deck at the southerly end of Jefferson Mill. Since Brady Sullivan Properties' acquisition of the 300,000 square foot Jefferson Mill in 2002, 18 companies now house over 885 employees in 220,000 sq. ft. of restored Class A office space. Currently there are only 300 on-site parking spaces and with 60,000 sq. ft. of workspace left to lease, the scarcity of parking has seriously stalled our lease-up efforts. While industry standards call for a minimum parking ratio of 3:1,000 sq. ft. of office area, our 1:1,000 sq. ft. ratio has resulted in several prospective Manchester companies moving to Bedford only because of this deficiency.

Recently I attended a Millyard Summit where parking issues took center stage. From that meeting, I left with the opinion that the only immediate solution for rectifying the critical shortage of parking was to develop it privately. To that end, we have begun to fast track the design and construction of the above-referenced raised deck, utilizing our existing driveway and street curb cut infrastructure. It became apparent after an initial consult with Planning Director Robert McKenzie, that while our development of a parking deck would be consistent with Manchester's Millyard District initiatives, we needed to address the details of two municipally held easements on this property.

First, there exists a utility easement for the access to and maintenance and repair of one (1) 42" storm drain line that traverses the Annex parking lot from North Commercial to an outfall in the Merrimack River. The parking deck is planned to be constructed over this line, thus restricting unimpaired access for catastrophic repair activities should a failure occur. Upon

670 N. COMMERCIAL STREET MANCHESTER NH 03101  
P 603.622.6223 F 603.622.7342  
BRADYSULLIVAN.COM



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Alderman Henry Thibault, Chairman  
June 19, 2006  
Page 2

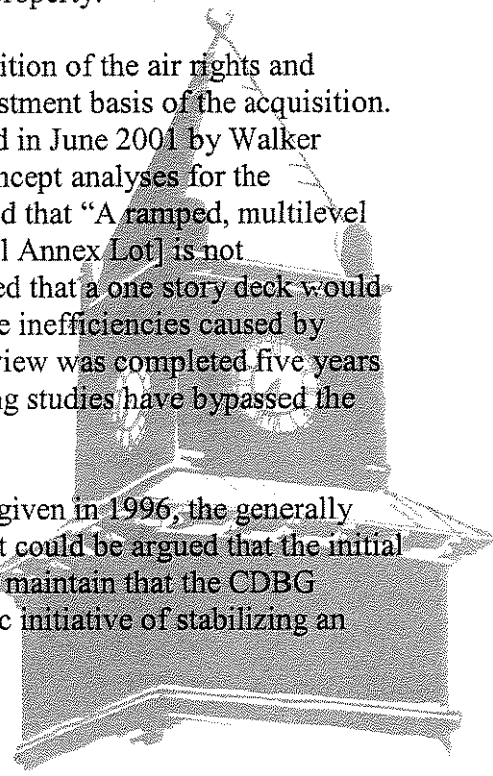
reviewing this 1970's storm drain line with Dave Thomas, Manchester's utility expert, it was suggested that the easement could be modified where the owner of the mill would take responsibility for the future repair of the storm drain line. To move this project along, the owners have agreed to assume responsibility for this storm drain line's repair, provided the parties jointly video the subject infrastructure to verify its structural integrity.

Secondly, in 1996, the City of Manchester acquired the air rights to the Annex Parking Lot for the development of a future parking garage. At that time, the owner of the Jefferson Mill, Peter Van Wyck, was given a total of \$374,200 in federal Community Development Block Grant monies. More specifically, two (2) separate allocations were made in 1996 totaling \$309,000 for the installation of a freight/passenger elevator. An additional \$65,200 was allocated in 1997 for improvements to the main building's roof. These CDBG monies were to aid in the economic redevelopment of the then dilapidated/underutilized Jefferson Mill Building. In exchange for this economic seed money, the owner agreed to create a low cost rental environment for the municipally supported Amoskeag Small Business Incubator Space on the 4<sup>th</sup> floor while also signing over the air rights to the Annex Parking Lot.

Brady Sullivan Properties is committed to investing \$1.5 million dollars for the construction of this parking deck in FY 2006. Brady Sullivan Properties hereby requests the City of Manchester relinquish their air rights to the Annex Parking Lot. In exchange for this action, the owners of the Jefferson Mill will agree to assign access and construction rights to the City for an extension of the final leg of the Merrimack River Walk. As envisioned, these rights would allow for the construction of a cantilevered walking deck to be affixed to the westerly length of the Jefferson Mill, extending from 540 North Commercial Street to the PSNH property.

We have reviewed the parameters/intent of the City's 1996 acquisition of the air rights and believe that time and information has now reduced the initial investment basis of the acquisition. The Millyard Area Parking Study of Existing Facilities, completed in June 2001 by Walker Parking Consultants, provided Manchester with feasibility and concept analyses for the Millyard's highest potential parking sites. Their review concluded that "A ramped, multilevel scheme with future expansion capability at this site [Jefferson Mill Annex Lot] is not recommended for cost and efficiency reasons". Further, they stated that a one story deck would be the only option for increased parking at this site "because of the inefficiencies caused by ramping of a small footprint having square proportions". This review was completed five years after the air rights were acquired and subsequent municipal parking studies have bypassed the mill's property for inclusion.

As for the present day value of the CDBG economic seed money given in 1996, the generally acceptable life of such monetary investments is 20 years. While it could be argued that the initial grant has been substantially written down on this basis, we would maintain that the CDBG investment was not just for the air rights but for the pure economic initiative of stabilizing an



6  
Alderman Henry Thibault, Chairman  
June 19, 2006  
Page 3

economically and physically obsolete/dysfunctional building. The elevator and roof improvements were to create a stable environment for the creation of the Amoskeag Small Business Incubator workspace. This resulted in the creation of many businesses and jobs within the federally designated economic assistance district defined by high percentages of underutilized and dilapidated buildings. The 20,000 sq. ft. Amoskeag Small Business Incubator workspace was established as a rental rate loss leader for the owner of the property as a vehicle to jump start its redevelopment. As such, the initial CDBG investment has paid back huge dividends in terms of property tax income to the City of Manchester as well as scores of millions of dollars in earned income.

Given the above, Brady Sullivan Properties respectfully requests the City of Manchester to partner with us as we move together to invest in Manchester's future. We request your considered attention to the relinquishment of acquired air rights to the Jefferson Mill's Annex Parking Lot and an amendment of the utility easement regarding the repair of the city owned storm drain line.

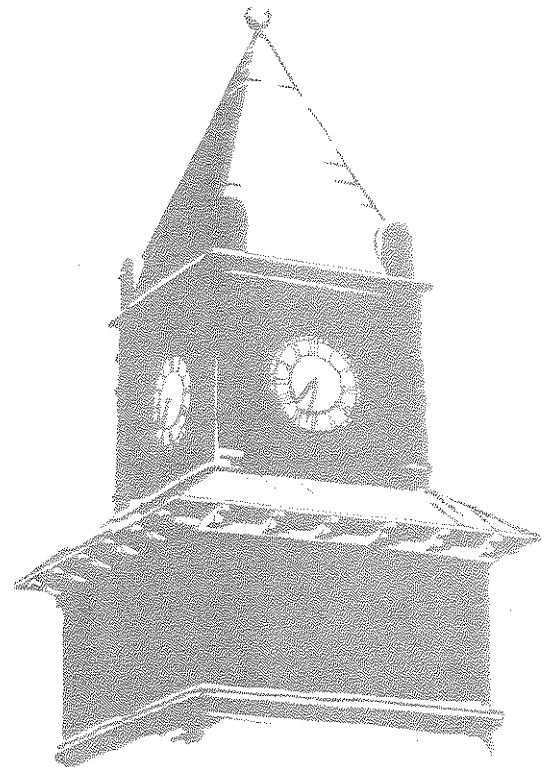
Respectfully Submitted,



Arthur W. Sullivan

AWS:jh

Encl.



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**BRADY SULLIVAN**  
**P R O P E R T I E S**  
INTEROFFICE MEMORANDUM

---

TO: ARTHUR W. SULLIVAN  
FROM: CHARLES PANSIS, DIRECTOR OF COMMERCIAL LEASING  
SUBJECT: JEFFERSON MILL PARKING  
DATE: JUNE 19, 2006

Over the past several years the Manchester market has shown positive absorption of vacant space in both the office and industrial real estate markets. Both the Verizon Wireless Arena and the Manchester-Boston International Airport have been instrumental in driving the economy in the area. Other key factors playing a role in Manchester's commercial real estate growth are the addition of numerous restaurants, cultural events and the Fisher Cat Stadium. In short, Manchester's economy continues to grow and has been counter cyclical to that of neighboring towns in New Hampshire.

Based on a report from CBRE dated 2003, Manchester had an office vacancy of 17.5% in 2003 and in 2006 has a vacancy of 9.8% -- a decrease of 8%. Conversely, Bedford in 2003 had an office vacancy of 16.9% and in 2006 has a vacancy rate of 22.5% -- a 6% increase in three years. Looking at these two areas, it clearly shows that Manchester has captured some of the Bedford office market.

Manchester's Millyard in particular has shown a tremendous rejuvenation in the last several years, with companies such as Brady Sullivan Properties, PSNH, UNH and Deka all redeveloping what was once a vacant and obsolete sector of real estate. Current uses range from Class A office space to educational applications. The commercial real estate market in Manchester over the last three years has seen a movement from within, with companies moving into the Millyard from other towns, and also a shift of tenants from downtown Manchester to the Millyard district. Probably the reasons for this shift from an Elm Street property to a Millyard location were the aggressive redevelopment of real estate with a rich history and uniqueness, market conditions and rates, and also the availability of parking in the Millyard at that time.

Looking at the Millyard in 2006 vs. 2003, one would see a much different outlook for the Millyard district. Companies such as Herrick Technologies, Franklin Pierce College, and Wiggin and Nourie Law Firm have all relocated to the Millyard in the past several years. With all of the great things that have happened in the Millyard, there is one major problem that needs to be addressed: PARKING. The one asset that once drew the tenants to the Millyard three years ago may be the one element that could drive them out unless we address it now.

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The Millyards were built for industrial manufacturing, with workers that lived close by and walked to work. Today's workers live anywhere from 15 minutes to an hour away and all mostly drive. As we move forward in the discussions of parking, I think it is very important that we recognize that this problem will have to be solved by both the private and public sector. Not realizing the shortfalls of the Millyard may lead to a shift of vacancies to other locales.

Remember the heyday of rents in Nashua and Bedford? It only takes a couple of major tenants to start a shift within the market or even out of the market. Personally, Brady Sullivan has had to accommodate tenants in other buildings in other towns due to the shortfall of parking. As previously mentioned, the Bedford market vacancies have increased in 2006 from 2003. Ironically, Brady Sullivan's Bedford office building at 8 Commerce drive is 100% occupied, with two major tenants coming out of Manchester. This is a building we bought empty and now 15 months later we are 100% occupied. In Manchester, we just could not accommodate this client's parking needs.

In the next two years, a lot of the leases in the Millyard will be rolling over and discussions are now under way with tenants on their renewals. The first issue they discuss is parking. It's not the rate or term; it simply is "*What are you doing about the parking?*"

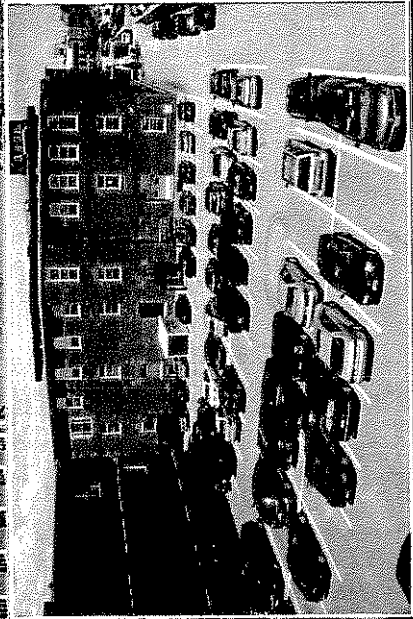
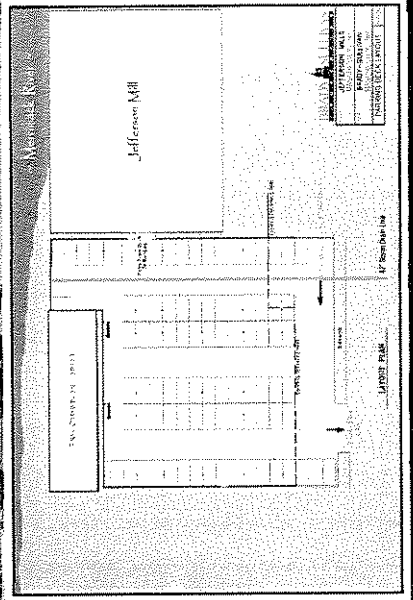
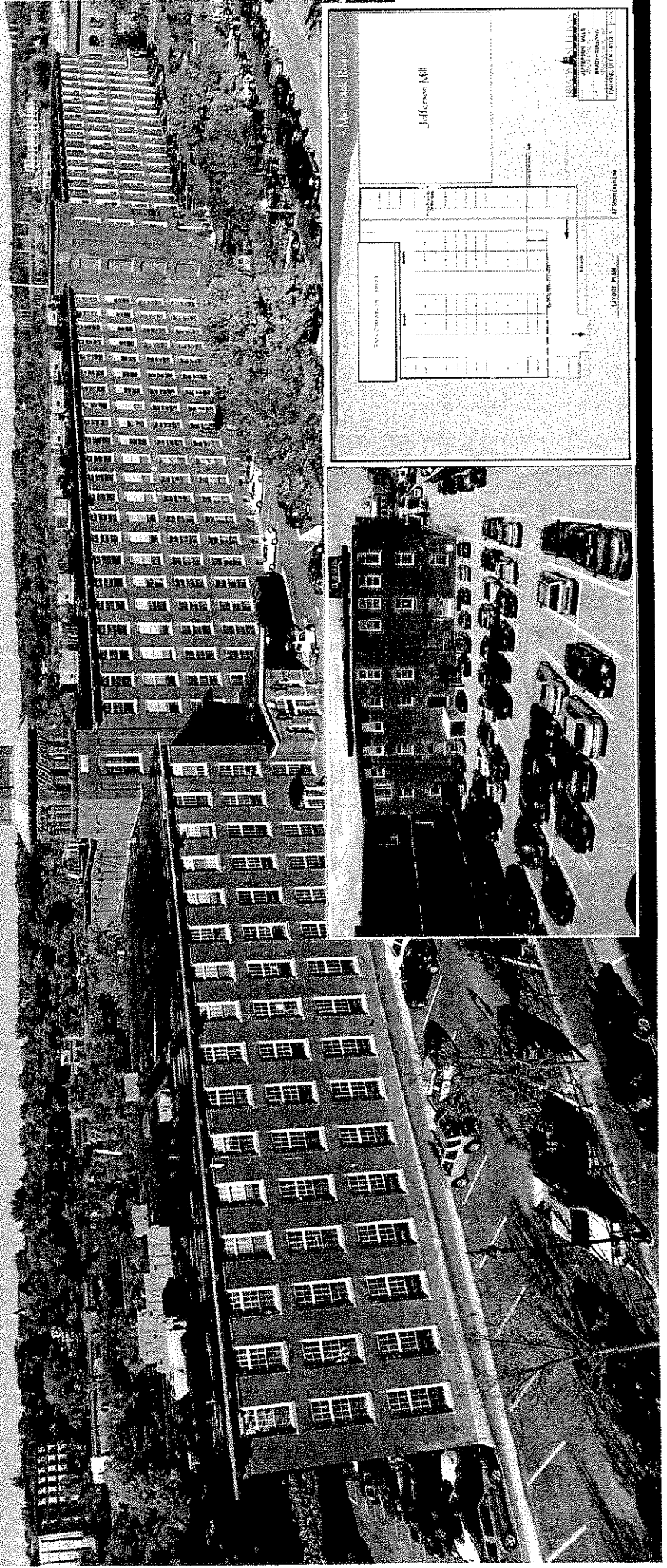
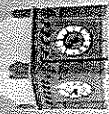
In closing, we have a great situation that possibly could become that much better if we address the parking situation. If we don't, we may see a movement either within the market or possibly out of the market.

CNP:jh

# The Jefferson Mill

300,000 SF Class A Facility  
 60,000 SF Unoccupied  
 885 Employees - 300 Parking Spaces

Parking deck - 70 New Spaces  
 Release of Air Rights - \$374,200  
 42" Storm Drain Infrastructure



~ Merrimack River ~

Jefferson Mill

540 COMMERCIAL STREET

Entry From Deck  
To Building

Existing Retaining Wall

One Way Traffic Control

Existing Retaining Wall

Sidewalk

Traffic Flow  
Out

42" Storm Drain Line

LAYOUT PLAN

**BRADY SULLIVAN**  
PROPERTIES

PROJECT: JEFFERSON MILLS  
MANCHESTER, NH

OWNER: BRADY-SULLIVAN  
MANCHESTER, NH

PARKING DECK LAYOUT 6/9/06

H 624-1844  
C 533-0220  
O 668-1871

11/21/05 - Tabled 7  
2/21/06 - " "  
3/21/06 - " "  
5/01/06 - " "

Gerald and Muriel Hebert  
1175 Page Street  
Manchester, NH 03104

July 17, 2005

City of Manchester, NH  
Committee on Land and Buildings  
C/o City Clerk's office  
1 City Hall Plaza  
Manchester, NH 03101

Dear Mr. Chairman,

I am writing regarding a parcel of property located on Page Street in Manchester. located between London Street and Bridge Street, a vacated parcel which belongs to the city, Lots 3, 6 and 7, which abuts our lot: 0246-0002.


We have resided here for thirty years and we would like to acquire this parcel, as in the near future we hope to build a retirement home on our lot, 0246-0002, but we lack 25 feet of frontage to build.

As you know, this is not desirable property, it is located at the bottom of the hill and there is always water running through the property all year long. The Highway Department has to come often, to open the trench for the water to run through, as it builds up ice, water etc., on the street.

There is approximately 30 feet of dry land between the road and the build up of water in the designated water shed area. We feel that for this reason, the property would be of no use to anyone else. However, it would give us the extra 25 ft frontage required to build.

We don't know if this is acceptable or financially feasible for us to acquire. We are in a position to offer \$5,000. Please advise, we appreciate sincerely your time and consideration.

Yours truly,

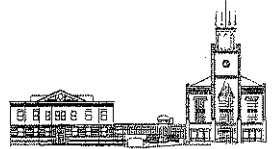
  
Gerald W. Hebert, Sr.

cc/Mary Sysyn, alderman



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Pécuch  
Deputy Clerk  
Financial Administration

July 20, 2005

Mr. Gerald W. Hebert, Sr.  
1175 Page Street  
Manchester, NH 03104

Dear Mr. Hebert,

At their meeting last evening, the Committee on Lands and Buildings discussed the request you submitted to purchase Lots 246-3, 6 and 7 currently owned by the City.

Following the discussion, the Committee tabled the request pending additional information from the Planning and Assessing Departments with their input as to what could be built on these adjoining lots, as well as what zoning would allow in the area.

This request will be visited again at the Committee's next meeting. Please contact Paula Leblond-Kang in the City Clerk's office for the date and time of the Committee's August meeting.

In the event you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

Leo R. Bernier  
City Clerk

Copy: Robert MacKenzie, Planning Department  
David Beauchesne, Planning Department  
Steve Tellier, Board of Assessors



**City of Manchester  
Office of the Tax Collector**

City Hall  
One City Hall Plaza - West  
Manchester, New Hampshire 03101 Joan A. Porter  
(603) 624-6575 (Phone) Tax Collector  
(603) 628-6162 (Fax)

## **Memorandum**

**DATE: JULY 18, 2005**

**TO: LAND & BUILDINGS COMMITTEE**

**FROM: JOAN A PORTER, TAX COLLECTOR**

**RE: LAND AT PAGE/MICHIGAN AVE**

On December 17, 2003 the City of Manchester conducted an auction (for the second time) in an attempt to sell the three parcels located at Map 246 Lots 3, 6 and 7. The minimum bid was set at \$60,000. There was a final bid of \$57,000. However, a wetlands engineer surveyed the property and determined that one could not build on this lot due to the extent of the wetlands. As such, the highest bidder withdrew. The second bidder was contacted and likewise was not interested based on the engineer's report.

This was brought to the attention of the BMA on January 14, 2004 and it was voted to refer the matter to the Land & Buildings Committee for further review and report. No action has been taken since that time.

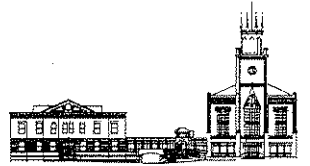


Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

July 18, 2005

Lands & Buildings Committee  
Honorable Board of Mayor and Aldermen  
City Hall  
One City Hall Plaza  
Manchester, New Hampshire 03101

*re: Sale of Property off Page Street*

Honorable Committee Members:

This is in regard to the City owned land off Page Street. We have previously recommended that this property be deemed surplus and sold. It is my understanding that the property has not sold at auction. This is likely due to the significant amount of wetland on the site that does make it well suited for an individual building lot.

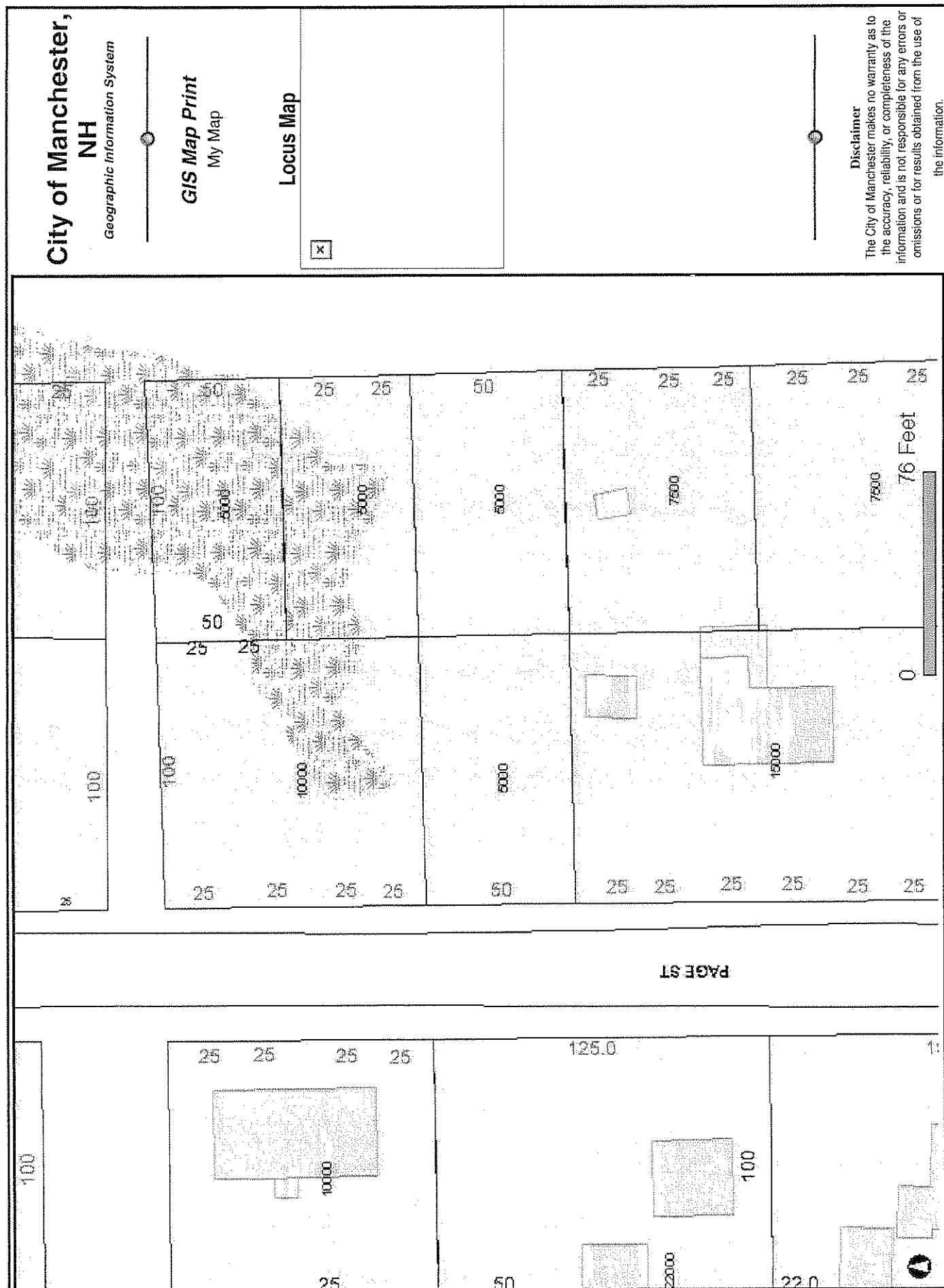
I am aware that an abutter has expressed an interest in purchasing this property and combining it with a small abutting vacant lot to make a suitable building site. Given the difficulty in developing the site as is, selling the property to the abutter would be an appropriate means of disposing of the property.

If you have any questions, I will be available at your next meeting.

Sincerely,

Robert S. MacKenzie, AICP  
Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 FAX: (603) 624-6529  
E-mail: [planning@ci.manchester.nh.us](mailto:planning@ci.manchester.nh.us)  
[www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)





# City of Manchester, NH

Geographic Information System

**GIS Map Print**  
My Map

**Locus Map**



**Disclaimer**  
The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.

Mr. Tellier stated what I have up on the screen before you is an aerial view. I will proceed to clear it up. Myself and staff inspected the site several days ago as well as on a preceding location. The letter is pretty self-explanatory. There was a minimum bid previously on that site for \$57,000 but the bidder brought in a wetlands engineer and it was determined that the site was much too wet and did not have a dry enough area to provide an adequate building envelope for improvement. If you will give me a minute I will try to get you a better picture to show you the extent of the wetlands. As you can see that center green area...I don't have a laser pointer but there is a significant amount of wetlands on that site. The only thing that might, as I indicated in my letter, if someone were to petition for quiet title to acquire the additional 25 feet on the discontinued portion they may or may not have an adequate building envelope for improvement. I seriously doubt it at this point because of the extent of the wetlands involved. At that point we revised the value. Its primary use would be residual land for either the abutters or possibly the site across the street or kiddie corner as parking or just to meet setback requirements. The building to its east, I believe, is a set of condos. They may wish to acquire it. At the top of the picture you can see a large building. That is a set of four condos. They did petition to quiet title. That site does own 25 feet. Where you see the parking lot it appears to approach a little bit over on to the discontinued road but they did petition for quiet title some time ago and they do own half that street. With that being the case we would revise the value to \$7,500 to \$10,000. My recommendation at this point would be to notify abutters and just go to auction.

Alderman Porter moved to declare the property surplus and move it to public auction.

Alderman Roy asked Steve the process to quiet title, if it was done for this unit here will take care of the other 25' parcel.

Mr. Tellier responded Tom would probably be most appropriate to answer that.

Deputy Solicitor Arnold replied it might have but I would tend to doubt it. I would think that when the condo association applied to quiet title they only applied for their half of the road would be my guess but without seeing the documentation I couldn't be definite.

Alderman Roy asked what would the cost to the City be to quiet title on the rest of the remaining land abutting City property.

Deputy Solicitor Arnold answered it would probably be a pretty minimal filing fee. Our office could probably handle it, however, I question whether it would be necessary at this point. If the other side of this street did a quiet title then that

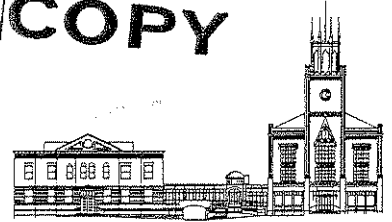




## CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing  
Manchester, New Hampshire 03101  
Tel: (603) 624-6520 – Fax: (603) 628-6288  
E-Mail: [assessors@ci.manchester.nh.us](mailto:assessors@ci.manchester.nh.us)  
Website: [www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)

 **COPY**



Steven G. Tellier, Chairman  
Paul W. Porter, Jr.  
Thomas C. Nichols

Lee Ann Provencher  
Assistant to Assessors

To: City Clerk  
From: Board of Assessors  
Date: July 19, 2005  
Re: Surplus Property  
Map 246 Lot(s) 3, 6 & 7  
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St. A recent bidder discovered after hiring a wetlands engineer, that due to an inordinate amount of wetlands on site that the parcel is unable to be developed under present conditions. There is evidence of wetland area attributable to all three contiguous parcels. Potential value may increase with the addition of the discontinued portion of the abutting paper street. However, at present the most appropriate use appears to nearby abutters.

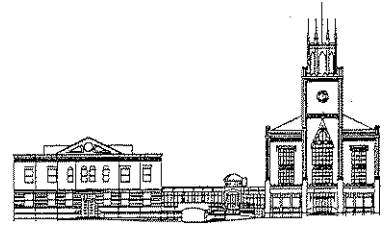
After review of the factors surrounding this site, it is the opinion of our Board that the sites present use would be residual land for ancillary building or to meet setback or parking needs and should be valued accordingly.

After analyzing similar unimproved land sales and taking into account the significant wetlands, a value in the range of \$7,500 - \$10,000 would be appropriate.



## CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing  
Manchester, New Hampshire 03101  
Tel: (603) 624-6520 – Fax: (603) 628-6288  
E-Mail: [assessors@ci.manchester.nh.us](mailto:assessors@ci.manchester.nh.us)  
Website: [www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)



Steven G. Tellier, Chairman  
Paul W. Porter, Jr.  
Thomas C. Nichols

Lee Ann Provencher  
Assistant to Assessors

To: City Clerk  
From: Board of Assessors  
Date: May 24, 2004  
Re: Surplus Property  
Map 246 Lot(s) 3, 6 & 7  
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St and, although there appears to be some wetland area attributable to all three sites, with the addition of the discontinued portion of the abutting paper street, the lot may be able to be improved upon.

After analyzing similar unimproved land sales, the previous value of \$60,000 would be appropriate.

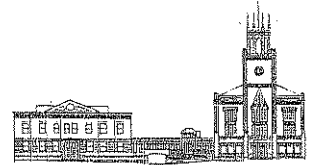


Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Zoning Board of Adjustment  
Heritage Commission  
Milliard Design Review Committee

February 5, 2004

Committee on Land and Buildings  
Honorable Board of Mayor and Aldermen  
Manchester City Hall  
One City Hall Plaza  
Manchester, New Hampshire 03101

Re: *Sale of Tax-deeded property on Page Street & Michigan Avenue (TM 246, Lots 3, 6 & 7)*

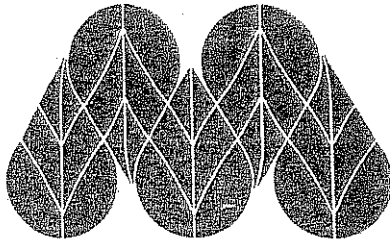
Dear Committee Members:

Our records indicate that the City has been attempting to return these several tax-deeded parcels to private ownership since as far back as 1994 when the Planning Department first provided the Committee with a report regarding their disposition. After reviewing the latest information about this case we now wish to reaffirm our previous October 11, 1994 report (see attached).

Sincerely,

Robert S. MacKenzie  
Director of Planning & Community Development

Copy: file



City of Manchester  
City Planning Department

The Beacon Building  
814 Elm Street  
Manchester, New Hampshire 03101  
(603) 624-6450  
FAX 624-6529

October 11, 1994

Committee on Lands and Buildings  
Honorable Board of Mayor and Aldermen  
908 Elm Street  
Manchester, N.H. 03101

RE: Sale of Tax-deeded property on **Page Street**.

Dear Committee Members:

This is to provide a report pursuant to Section 23 1/2 pertaining to the above-referenced property.

**Surplus Determination:** This vacant property is located on the east side of Page Street near Bridge Street Extension. It would appear that a good portion of the site would be classified as wetland. The only possible use I would foresee for the City would be for conservation purposes, although I do not believe that small, isolated wetland pockets such as this should be in City ownership and the previous Chairman of the Conservation Commission has also held this opinion on a recent offer to dedicate a wetland area off Woodland Avenue. Based upon a review of the site, I do not believe that there are any City needs for the property and, as such, I would recommend that the property be determined "surplus" and be disposed of in a manner consistent with Section 23 1/2 of the City Ordinances.

**Manner of Sale:** I believe the most appropriate manner of disposition would be by some form of public sale such as auction.

**Note:** I believe that there are other tax-deed lots abutting this lot which are landlocked (having frontage on a paper street - Michigan Avenue, Lots 32, 58 and 59, map 246) which should be sold in conjunction with the property on Page Street.

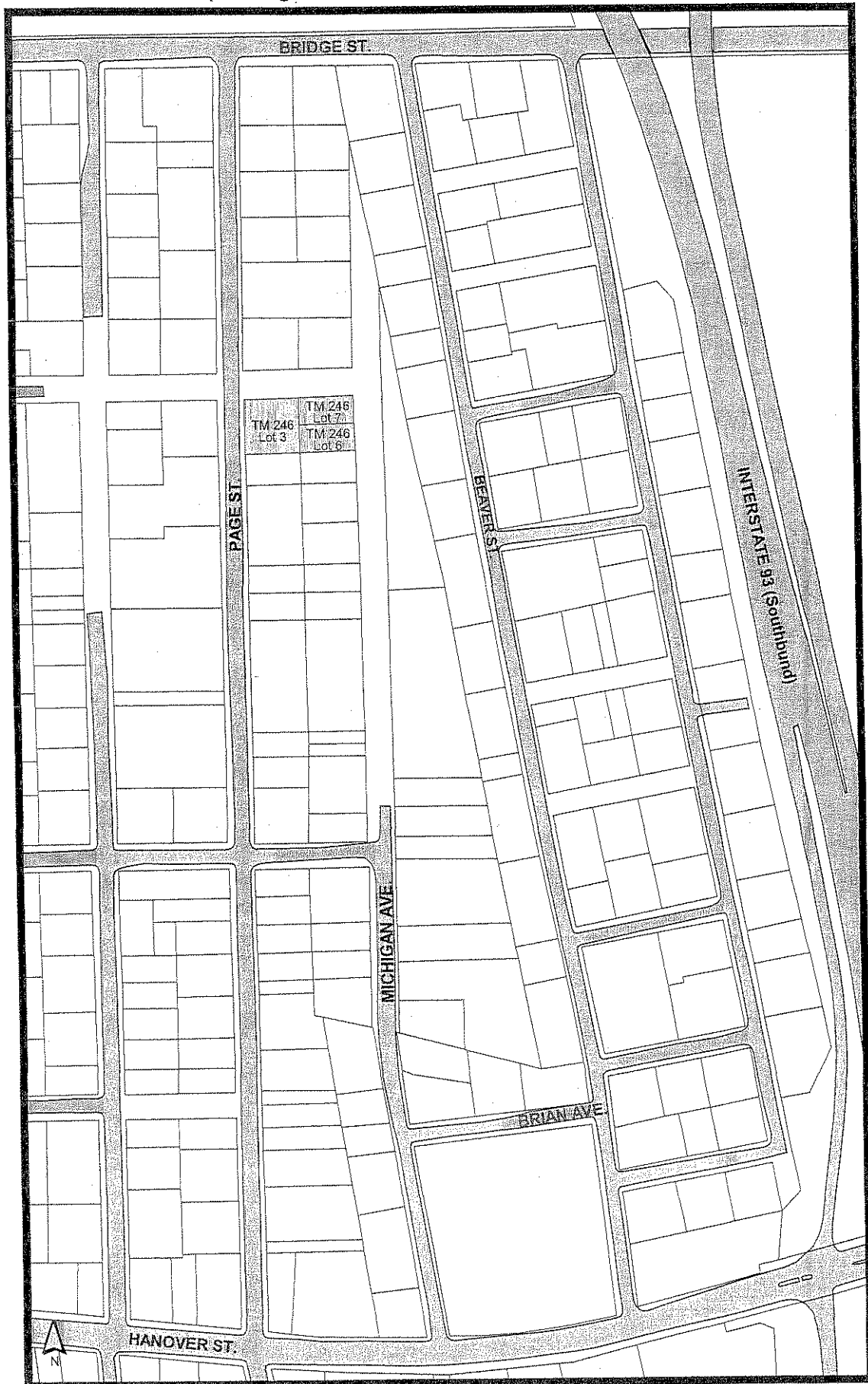
If you have any questions, I will be available at your next committee meeting.

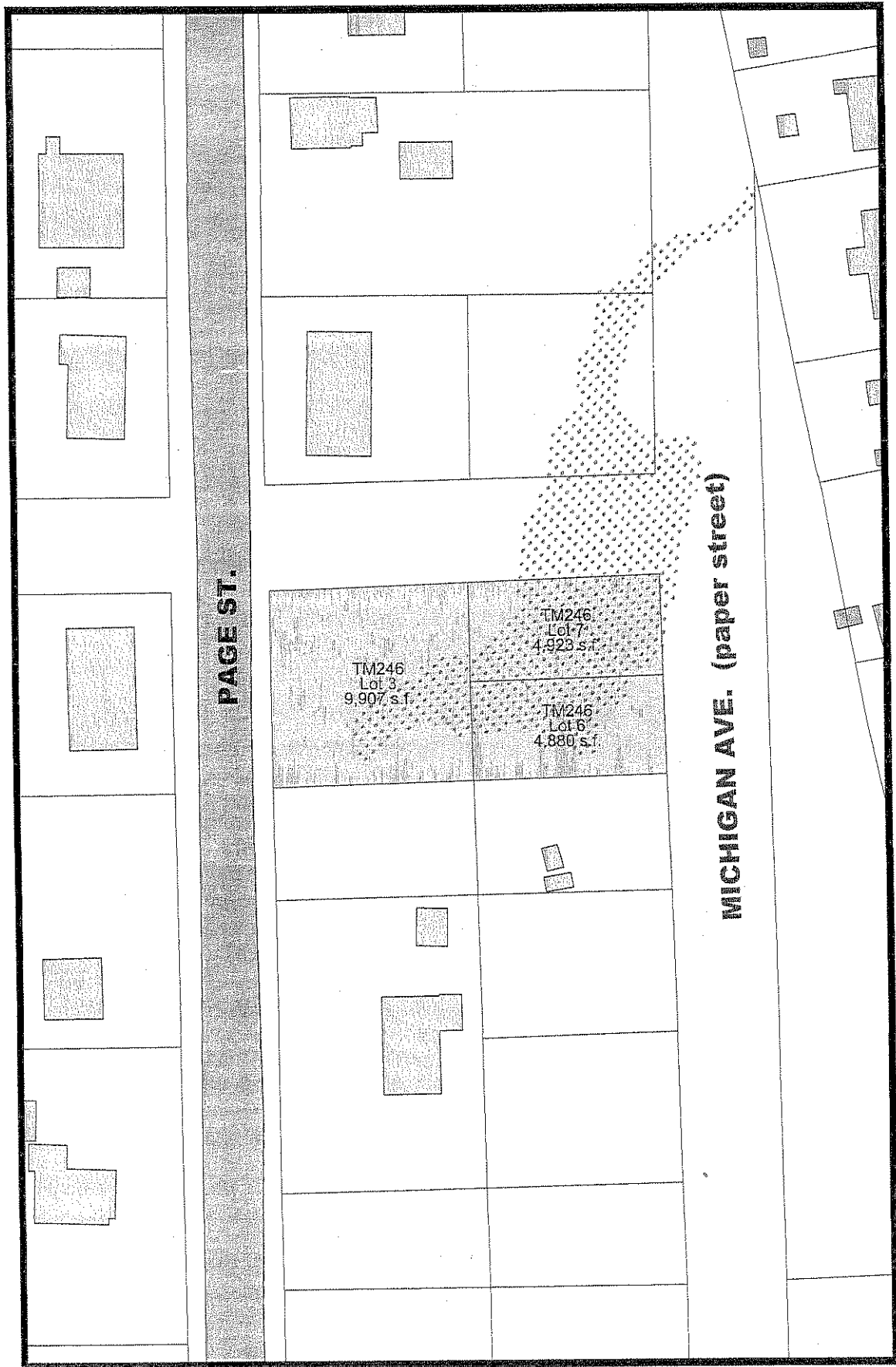
Sincerely,

Robert S. MacKenzie  
Director of Planning

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**General Location Map for TM246 - Lots 3, 6 & 7  
(off Page Street & Michigan Avenue)**





**Site Map for TM246 - Lots 3, 6 & 7 (off Michigan Avenue)**



Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



3/21/06 - Tabled  
5/01/06 -  
Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

March 13, 2006

Committee on Lands and Buildings  
City Hall  
One City Hall Plaza  
Manchester, NH 03101

re: Land for Airport Access Road off Brown Avenue (TM713, Lot 1)

Honorable Committee Members:

*Background:* As part of their ROW acquisition for the new Airport Access Road, the New Hampshire Department of Transportation has submitted an offer to acquire a city-owned parcel of land located between the Merrimack River and Brown Avenue south of the Airport. The narrow, rectangular shaped, 0.82 acre property is about 520 feet long by 50 feet wide and is situated immediately west of a dense residential neighborhood generally consisting of Landsdown, Charlotte, Calvert, Ellingwood and Almeda Streets and Brown Avenue. This property's primary importance to the City is that (a) it acts to provide for the natural protection of the riverbank between Brown Avenue and the river, and (b) it provides neighborhood residents with immediate pedestrian access to the edge of the river with excellent views over and beyond that waterway.

*Surplus Determination:* For the reasons cited above, we would typically not advise disposing of city-owned lands situated along a major waterway. In the present case, however, our opinion is that if, after acquisition by the state, the public were to still be allowed access to the subject parcel, then the impact of its disposition would be greatly mitigated and we would, in this unique instance, recommend that it be determined to be surplus to city needs.

*Method of Sale:* Normal disposition would be by public sale. In this situation, however, given the broader public transportation need which the state is seeking to satisfy via their acquisition of the subject parcel, and given that the state could obtain the land by adverse possession, the Committee may find suitable public purpose for selling the property to the state.

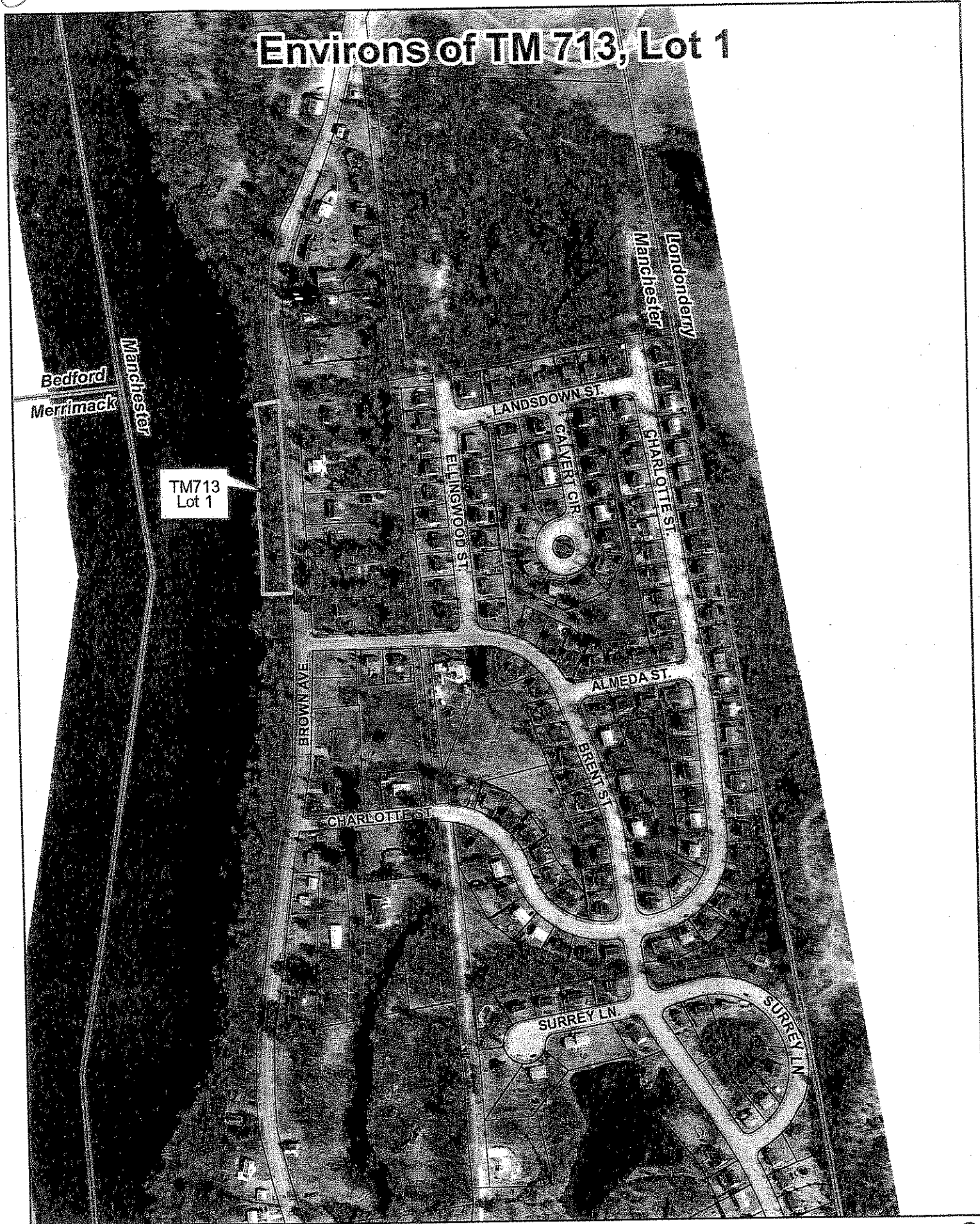
If there are any questions, staff will be available at the committee meeting.

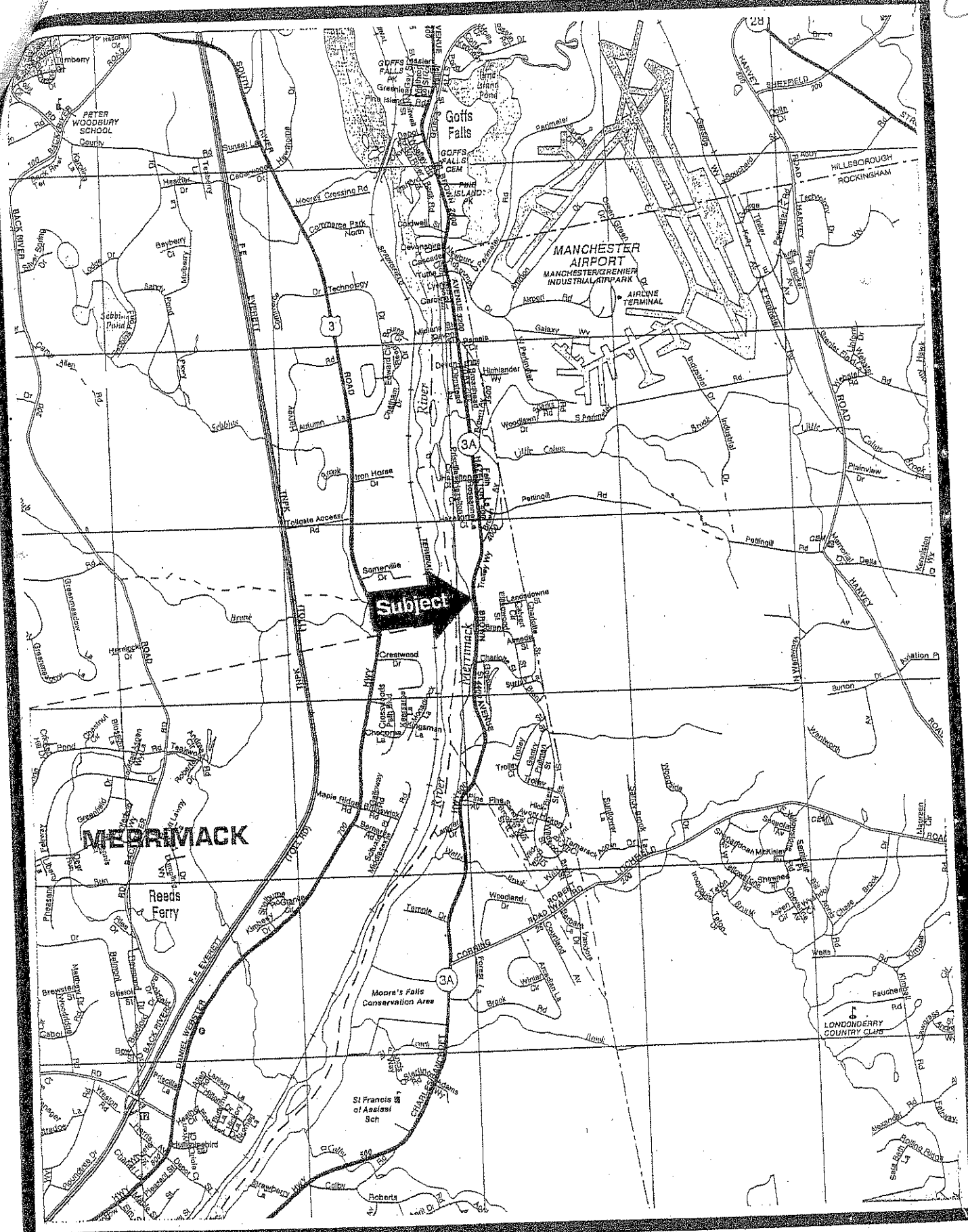
Sincerely,

Robert S. MacKenzie, AICP  
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

# Environs of TM 713, Lot 1





Neighborhood Map



**City of Manchester  
Office of the City Solicitor**

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6523 Fax (603) 624-6528  
TTY: 1-800-735-2964  
Email: [solicitor@ci.manchester.nh.us](mailto:solicitor@ci.manchester.nh.us)

Thomas R. Clark  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

Daniel D. Muller, Jr.  
~~Kenneth R. Bernard~~  
Michele A. Battaglia  
~~Marc van Zanten~~

November 9, 2005

Leo R. Bernier, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

**Re: Bedford-Manchester-Londonderry-Litchfield-Merrimack DPR-F-0047(001), 11512  
Manchester Airport Access Road  
55,158-815**

Dear Leo:

Enclosed please find a copy of a letter dated October 28, 2005, addressed to Joan Porter, Tax Collector from William Dusavitch, Right-of-Way Agent for the State Department of Transportation for referral to the aldermen for their consideration.

If you have any questions, please feel free to contact me.

Very truly yours,

Thomas R. Clark  
City Solicitor

TRC/hr  
Enclosure

**IN BOARD OF MAYOR & ALDERMEN**

**DATE:** November 15, 2005

**ON MOTION OF ALD.** Roy

**SECONDED BY ALD.** DeVries

refer to the Committee  
**VOTED TO** on Lands and Buildings.

CITY CLERK  
Deputy



2005-165

**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



**CAROL A. MURRAY, P.E.**  
*Commissioner*

**JEFF BRILLHART, P.E.**  
*Assistant Commissioner*

October 28, 2005

**RECEIVED**

NOV 01 2005

CITY SOLICITORS OFFICE

**Re: Bedford-Manchester-Londonderry-Litchfield-Merrimack DPR-F-0047(001), 11512  
Manchester Airport Access Road  
55,158- 815**

Dear Ms. Porter:

As you may know, the New Hampshire Department of Transportation has proposed improvements to the transportation system in the vicinity of the Manchester Airport. As part of this effort, property owned by the City of Manchester is being affected by the proposed construction and its mitigation.

At this time I wish to introduce myself as the individual responsible for coordinating and accomplishing the acquisition of the property rights needed to allow this construction to occur. The Bureau of Right of Way will also be contacting other owners whose property is affected by this project.

As part of this project, the Department needs to acquire the following property from the City of Manchester for this construction:

0.69 acres of property.

As a basis for this offer, The Department has contracted Evergreen Appraisals to complete an appraisal to determine the value of compensation based on the impacts of the project. A copy of this appraisal is enclosed for your review.

Using this appraisal, the Department offers the sum of \$27,000 for the purchase of the above mentioned property in fee. Should you find the offer acceptable, please sign the appropriate Offer & Agreement form enclosed and return the white copy to me at the Right-of-Way Bureau using the enclosed self addressed stamped envelope. The yellow copy is for your records. I will prepare the appropriate documents for your signature and request the check for payment be prepared. Once these are ready, I will contact you regarding the actual signing of the documents and delivery of the payment. However, if the offer is unacceptable, please contact me as soon as possible to discuss your concerns.

For your records I have also enclosed a booklet entitled "Public Projects and Your Property". In addition, an IRS Real Estate Transaction Report is enclosed for providing information to the Internal

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Revenue Service regarding this sale. It would be appreciated if you would please complete this IRS form and return it to me in the enclosed envelope.

If you feel that you would prefer to meet and discuss this project and its effects to the property, please feel free to contact me. I would be glad to schedule a meeting with you to answer any questions you may have regarding this project and the offer of compensation. For your convenience I have enclosed my business card. You may call me "collect" at (603) 271-3222 between the hours of 7:30 AM and 3:00 PM. A message can also be left on my voice mail by calling 271-8350 anytime.

I appreciate your taking the time to review this information and to consider the Department's offer. I am optimistic that we will be able to reach an agreement regarding this acquisition. I look forward to hearing from you.

Sincerely,



William J. Dusavitch,  
Right-of-Way Agent

Bureau of Right-of-Way  
JOM Building Room 204  
PO Box 483, 1 Hazen Drive  
Concord, NH 03302-0483  
Tel: (603) 271-3222 Fax: (603) 271-6915

8

## OFFER – AGREEMENT

Limited/Controlled access: **No**

LAND FILE/PARCEL #: **55,158 - 0815**

NAME: **CITY OF MANCHESTER**

ADDRESS: **908 ELM ST, MANCHESTER, NH 03101**

I/WE agree to accept **Twenty Seven Thousand Dollars (\$27,000.00)** in full satisfaction for all the damages occasioned by the required taking for highway purposes, with all the rights of access, air, light and view appurtenant thereto, and to execute when tendered, a deed/an easement/right of entry to the State of New Hampshire for land affected by said highway as shown on a plan entitled **BEDFORD-MANCHESTER-LONDONDERRY-MERRIMACK DPR-F-0047(001) 11512** of the Department of Transportation.

I/We certify that I/we own said land subject only to mortgage/lien to: **NONE**

PROPERTY TAXES: I/We further understand that I am/we are entitled to a pro-rata payment for taxes and expenses for the transfer of the property.

ACQUISITION: **0.69+- OF AN ACRE RESIDENTIAL LAND**

IN CONSIDERATION OF THE ABOVE THE STATE SHALL ALSO AGREE TO THE FOLLOWING:

RELOCATION: Eligible for a replacement housing payment? **No**

You are eligible for a replacement housing payment up to a maximum of **\$0.00**. This amount is to be paid only if this sum or a portion thereof is actually spent over and beyond the total award to purchase decent, safe and sanitary housing.

Award for Taking:	<b>\$27,000.00</b>
Severance Damage:	<b>\$0.00</b>
Total Award:	<b>\$27,000.00</b>

This award is based on a review and analysis of an appraisal of the property made by a qualified appraiser.

NO OBLIGATIONS OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED. For THE STATE OF NEW HAMPSHIRE (Subject to the approval of Governor and Council) By:

Member: \_\_\_\_\_

Owner: \_\_\_\_\_

Member: \_\_\_\_\_

Owner: \_\_\_\_\_

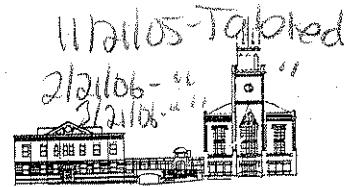
Clerk: 

Date: \_\_\_\_\_



# CITY OF MANCHESTER

## Manchester Economic Development Office



November 9, 2005

Honorable Board of Mayor and Aldermen  
C/o City Clerk  
One City Hall Plaza  
Manchester NH 03101

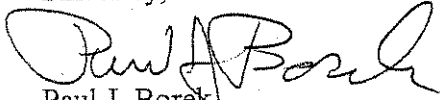
Honorable Members of the Board:

As you know, the Manchester School District has moved its headquarters from Ash Street School to the Millyards. In anticipation of the district returning the building to the City, discussions with Amoskeag Industries regarding the reuse of the property have been convened. The building was constructed by the City of Manchester. Reverter rights to the underlying land are held by Amoskeag Industries.

These discussions found that the highest and best use of this visible property along Bridge Street, a gateway arterial on the edge of the Downtown District, would be a landscaped, historic headquarters office facility. It was recommended that covenants requiring that the historic structure and grounds be enhanced and preserved be established. There appears to be private interest in this property for this use. To accomplish this purpose, the property could be marketed and sold competitively with the proceeds shared by the City of Manchester and Amoskeag Industries in accordance with their respective interest in the property. To this end, Amoskeag Industries is securing an appraisal for the parcel.

Further, it was suggested that the Manchester Development Corporation (MDC) might be equipped to market the property for private purchase and restoration and the MDC Board expressed an interest in doing so if requested by the Board of Mayor and Alderman (BMA). To date, the city has not received notice from the School District turning the building over to the City. We will keep the BMA apprised of actions and await the BMA's direction with regard to re-use of this property.

Sincerely,

  
Paul J. Borek  
Director

IN BOARD OF MAYOR & ALDERMEN

DATE: November 15, 2005

ON MOTION OF ALD. Thibault

SECONDED BY ALD. DeVries

VOTED TO refer to the Committee on  
Lands and Buildings.

  
CITY CLERK

RECEIVED  
MANCHESTER CITY CLERK

**Manchester School District**  
School Administrative Unit No. 37  
286 Commercial Street, Manchester, NH 03101  
Tel: 603.624.6300 • Fax: 603.624.6337

RECEIVED 9

DEC 20 2005

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**Michael Ludwell, Ph.D.**  
*Superintendent of Schools*

CITY SOLICITOR'S OFFICE

**Henry J. Aliberti Jr., Ed.D.**  
*Assistant Superintendent  
Elementary Education*

**Frank G. Bass, Ph.D.**  
*Assistant Superintendent  
Secondary Education*

**Karen G. Burkush**  
*Assistant Superintendent  
Student Services*

**William E. Sanders**  
*Chief Financial Officer*

TO: Thomas Arnold  
Deputy City Solicitor

FROM: William Sanders  
Chief Financial Officer *WES*

DATE: December 19, 2005

SUBJECT: Ash Street Building

This letter serves to advise that on December 12, 2005 the Board of School Committee passed the attached resolution related to returning the Ash Street School to the City of Manchester. Attached is a letter from the School Board Clerk regarding the matter.

Please advise what additional information or documentation, if any, is required to complete this process.

Cc: Michael Ludwell, Ph.D., Superintendent  
Board of School Committee  
Mr. Tim Clougherty  
Mr. Kevin Sheppard  
Mr. Frank Thomas

**IN BOARD OF MAYOR & ALDERMEN**

**DATE:** January 17, 2006

**ON MOTION OF ALD.** Long

**SECONDED BY ALD.** Osborne

**VOTED TO** refer to the Committee on Lands  
and Buildings and forward letter  
to School Board. *Josh Brunner*  
CITY CLERK

9

**Manchester School District**  
School Administrative Unit No. 37  
286 Commercial Street, Manchester, NH 03101  
Tel: 603.624.6300 • Fax: 603.624.6337

**Michael Ludwell, Ph.D.**  
*Superintendent of Schools*

**Henry J. Aliberti Jr., Ed.D.**  
*Assistant Superintendent  
Elementary Education*

**Frank G. Bass, Ph.D.**  
*Assistant Superintendent  
Secondary Education*

**Karen G. Burkush**  
*Assistant Superintendent  
Student Services*

**William E. Sanders**  
*Chief Financial Officer*

TO: William Sanders  
Chief Financial Officer

FROM: Suzanne Sears   
School Board Clerk

DATE: December 15, 2005

SUBJECT: Ash Street Building

At the Board of School Committee meeting held on Monday, December 12, 2005, a motion was made and seconded to accept a minority report regarding the Ash Street School Building from the Building and Sites Committee. The motion passed by majority vote; Comm. Beaudry, Langton, and Labanaris voted in opposition to the motion.

A motion was made by Comm. Herbert and seconded by Comm. Kelley to accept the Administration's proposal that the Board return the Ash Street School Building back to the City. The motion passed by a majority vote of 9-4. Those voting in favor of the motion were Vice-Chair Stewart and Committee Members Scott, Herbert, Soucy, Gelinas, Cote, Ouellette, Kelley, and Donovan. Those voting in opposition of the motion were Committee Members Beaudry, Langton, Labanaris, and Kruse.



Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

February 15, 2006

Committee on Land and Buildings  
Honorable Board of Mayor and Aldermen  
City Hall - One City Hall Plaza  
Manchester, N.H. 03101

RE: *Ash Street School*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

**Background:** This property, located on the northeast corner of Bridge and Maple Streets, was first used as a school and then subsequently as a school administration building. School administration has since moved to another location and has determined the property surplus to their needs. The property is listed on the National Register of Historic Places. In addition, Amoskeag Industries retains reverter rights on the land portion of the property. A portion of any proceeds, therefore, would go to Amoskeag and preliminary meetings have been held in this regard.

**Surplus Determination and Disposition:** It is the recommendation of the Planning & Community Development Department that the property is surplus to City needs and may be disposed of through public sale. We would recommend that the Board attach a condition that future uses retain the historic character of the building, given its National Register status. I would note that this would not preclude an addition to the rear or side of the building. We would also encourage (but not require) that the property on the side facing the corner of Bridge and Maple Streets be landscaped. It is expected that the best use of the property may be for commercial office and that the zoning may need to be reviewed to allow this use.

If you have any questions, our staff will be available at your meeting.

Sincerely,

Robert S. MacKenzie, AICP  
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

